

# EXHIBIT 2





# Nonpublic Schools

## Guidelines for Determining Equivalency of Instruction in Nonpublic Schools

### Table of Contents:

- I. [New Schools](#)
- II. [Follow-up on New Schools](#)
- III. [Established Schools](#)
- IV. [Comprehensive Assessment Reports and Equivalency](#)
- V. [Registration of Secondary Schools and Equivalency](#)
- VI. [Services to Students](#)
- [Questions and Answers Relating to Determining Equivalency of Instruction in Nonpublic Schools](#)
- [Attachment A: State Education Department Resources](#)
- [Attachment B: Legal References](#)

---

Since 1897, the compulsory attendance law in New York State has required all children between the ages of six and sixteen to be provided with a program of instruction, either at a public school or elsewhere. While the compulsory attendance law protects a child's right to be educated, the State has long recognized the right of parents to choose an alternative to the public school. Churches, temples, mosques, and other groups of people are guaranteed the right to provide educational programs in accordance with their religious beliefs and educational philosophies. Over the years, nonpublic schools have been an integral part of the total educational system of the State.

The object of the compulsory attendance law is to see that children are not left in ignorance, that they receive from some source the instruction that will prepare them for their place in society. If a child attends a nonpublic school or is being educated at home, the board of education of the school district in which the child resides must be assured that the child is receiving instruction which is substantially equivalent to that provided in the public schools. Thus, the board's responsibility is to the



children living in the district; it has no direct authority over a nonpublic school.

These guidelines advise that the best way to ensure that every child is adequately served is through open communications and good rapport between public and nonpublic school officials. They are based upon current practices in the field which have proven to be effective. The guidelines also inform parents and school officials of their responsibilities and contain advice to help them work together harmoniously in the best interests of all children.

Questions not covered in the following pages may be referred to Nonpublic School Services, Room 475 Education Building Annex, New York State Education Department, Albany, New York 12234; phone (518) 474-3879.

I.

**New Schools**

The formation of good relationships between nonpublic and public school administrators is a most important and helpful step for both parties. In determining equivalency and in providing requested services to pupils, a good working relationship should lead to fair and equitable treatment. Therefore, the administrator of a new nonpublic school should contact the superintendent of the district in which the nonpublic school is located in the earliest stages of planning. It would be appropriate at the outset for the administrator to describe the goals of the new school, its sponsorship, anticipated date of opening, and grade levels.

Nonpublic schools usually enroll children from a number of districts. It is strongly recommended that the superintendent of schools of the district in which the nonpublic school is located undertake the review to determine equivalency of instruction. Sending districts are encouraged to concur with the judgment of the superintendent and board of education of the district of location in the matter of equivalency.

Within the framework of the Education Law, the local board of education is responsible for assuring that each resident pupil is